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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/710,387

07/07/2004

Yongyong Xu

4386

44642 7590 11/14/2007
YONGYONG XU
630 SANTA CRUZ TERRACE
SUNNYVALE, CA 94085

EXAMINER

BAE, JI H

ART UNIT

PAPER NUMBER

2115

MAIL DATE

DELIVERY MODE

11/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/710,387	Applicant(s) XU, YONGYONG	
	Examiner Ji H. Bae	Art Unit 2115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 36-54 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 36-47 and 50-54 is/are allowed.
- 6) ☒ Claim(s) 48 and 49 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8 August 2007 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 48 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griffin et al., U.S. Patent Application Publication No. 2002/0194241 A1, in view of Ohno et al., U.S. Patent No. 6,715,016 B1, in view of Park, U.S. Patent Application Publication No. 2003/0145191 A1.

Regarding claims 48 and 49, Griffin teaches a method comprising [Fig. 3]:

a device running a host OS [301];

starting a guest OS through a launcher and running the guest OS [paragraph 8, guest OS runs as a virtual machine process];

the guest OS running and finishing executing through an exit-code, and restoring the host OS and resuming operation [Fig. 3, steps 305-307, paragraph 42].

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Griffin does not teach reserving memories used by the host OS to preserve current state and data of the host OS.

Ohno teaches a computer system for running multiple operating systems that saves the state of the current OS before switching to a second OS [col. 2, lines 4-11].

It would have been obvious to one of ordinary skill in the art to combine the teachings of Griffin and Ohno by modifying Griffin to save the state of the host OS before switching to the guest OS, as taught by Ohno. Griffin teaches that the guest OS runs as a virtual machine process within the host OS, and that it is desirable to increase security and isolation between the host OS and guest OS [paragraphs 2-4]. The teachings of Ohno would improve the system of Griffin by providing additional isolation between the memory spaces, resulting in the avoidance of data destruction [col. 2, lines 20-27].

Although Griffin/Ohno teaches the aforementioned limitations, neither teaches saving the state of the current OS to an external memory device.

Park teaches backing up of a user's last known operating environment in a detachable flash memory device [paragraphs 12 and 13].

It would have been obvious to one of ordinary skill in the art to combine the teachings of Griffin/Ohno and Park by backing up the host OS state to the detachable flash memory device, as taught by Park. Park teaches that it is often desirable to be able to transfer an operating environment from one computer to another, so as to allow the user to experience the same operating environment on a different machine without having to reboot and activate the same applications [paragraph 6-8, 40, 41]. The teachings of Park would provide this improved functionality to Griffin/Ohno.

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Allowable Subject Matter

Claim 36-47 and 50-54 are allowed.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ji H. Bae whose telephone number is 571-272-7181. The examiner can normally be reached on Monday-Friday, 10 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ji H. Bae
Patent Examiner
Art Unit 2115
U.S. Patent and Trademark Office
571-272-7181
ji.bae@uspto.gov


THOMAS LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100